

Just like our 4th of July, their National Day marks the beginning of a fantastic story of struggles and triumphs—a story of economic miracles, social and political progress, and cultural leadership unlike any other. The National Day celebrates the past successes and ongoing efforts of a group of people committed to the idea that all citizens should be able to participate in the politics of the country they live in.

This October 10th is especially poignant because it marks the first time that newly elected President Chen Shui Bien will lead the celebration. Both President Chen and his Vice President Annette Lu have been working hard to continue to strengthen the bonds between the United States and Taiwan.

In my state of Minnesota we know that those bonds go beyond issues of national security and foreign policy minutiae. In my district we see how those ties connect with our agricultural economy. Last year the Republic of China on Taiwan pledged to purchase over \$1 Billion dollars worth of grain, much of it out of the Red River Valley of the North in northwestern Minnesota. The previous year they pledged to buy \$1.1 Billion over 12 months, and that goal was actually reached in less than 9 months. They have been good customers for the farmers in my district and I look forward to seeing that continue in future years.

Taiwan has built its relationship with the government and people of the United States by being a good international citizen. I congratulate the Republic of China on Taiwan and its people on their 89th National Day, and look forward to many years of close ties between our two nations.

GENERAL PULASKI MEMORIAL DAY PROCLAMATION

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. NEAL of Massachusetts. Mr. Speaker, I would like to recognize that October 11th marks the 221st anniversary of the death of a Polish military hero who sacrificed his life in the fight for American liberty, General Casimir Pulaski. Every year, Poles and Americans alike honor this great man, known as the "Father of American Cavalry," for his dedication to the cause of freedom, and his brave contributions to both the American Revolution and the fight for Poland's independence.

General Pulaski was a romantic figure and brilliant military strategist, known throughout Europe for his valiant defense of Poland's freedom from the imperialism of Russia and Prussia. Eventually outnumbered in the fight for Poland, Pulaski was exiled to Paris, where Benjamin Franklin recruited him to join the American Revolution.

Pulaski quickly established himself as a talented and effective military leader at the battle of Brandywine under George Washington. Recognizing his potential, Congress granted Pulaski an independent cavalry, which became an entity feared and respected by British foes.

On October 11, 1779, Pulaski crusaded for freedom one last time during the siege of Sa-

vannah. Galloping to the rescue of a fellow commander, Pulaski was mortally wounded by British cannon fire. He died the way he lived—freely, valiantly, and purposefully.

Mr. Speaker, on behalf of all Americans, allow me to pay tribute to this great Polish man to whom, in part we owe our freedom.

INTRODUCTION OF A REVISION TO THE STRUCTURED SETTLEMENT PROTECTION ACT

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. SHAW. Mr. Speaker, today I introduce a revised version of the Structured Settlement Protection Act, which I had introduced earlier in this Congress along with my colleague Mr. STARK and a broad bipartisan group of co-sponsors constituting a majority of the Ways and Means Committee. The revised legislation I am introducing today, again joined by Mr. STARK, will bring a final resolution to the issue known as "factoring" of structured settlement payments.

I am a long-time supporter of the use of structured settlements to compensate victims of physical injuries. Structured settlements constitute a private sector funding alternative to taxpayer-financed programs to meet the ongoing, long-term medical and living needs of seriously-injured victims and their families. Structured settlements enable these injured people to live with dignity, free of reliance on government. For these reasons, Congress adopted special tax rules to encourage the use of structured settlements to provide long-term financial security to injured victims and their families.

The legislation I am introducing today addresses concerns that have been raised over the "factoring" of structured settlement payments, in which the structured settlement recipient sells future payments for cash. The legislation protects the Congressional policy underlying structured settlements by providing that a stiff excise tax would be imposed on a factoring transaction unless a State court approves the transaction in advance upon a finding that the factoring transaction is in the best interests of the victim, taking into account the welfare and support of the victim's dependents, and a further finding that the transaction does not contravene applicable statutes and court orders.

This legislation has been agreed to by the National Structured Settlements Trade Association (NSSTA) on behalf of the structured settlement industry and the National Association of Settlement Purchasers (NASP) on behalf of the factoring industry. I submit for the record a joint letter of support for this legislation from NSSTA and NASP.

An identical structured settlement protection provision has been included in S. 3152, the "Community Renewal and New Markets Act of 2000", introduced on October 3 by Senate Finance Committee Chairman ROTH and co-sponsored by a bipartisan group of 15 Members of the Senate Finance Committee. The structured settlement protection provision in

Chairman ROTH's package has been scored as essentially revenue neutral.

Enactment of this legislation—which is part of an overall package of Federal and State legislation which has been agreed to by the two sides in the debate—will bring a final resolution to all of the issues surrounding structured settlement factoring. I strongly urge the enactment of this important legislation as soon as possible.

Re Agreement between the National Structured Settlements Trade Association and the National Association of Settlement Purchasers on Proposed Legislation Covering Transfers of Structured Settlement Payments.

SEPTEMBER 13, 2000.

Hon. BILL ARCHER,
*Chairman, Committee on Ways and Means,
House of Representatives, Washington, DC.*
Hon. WILLIAM V. ROTH, Jr.,
*Chairman, Committee on Finance, U.S. Senate,
Washington, DC.*

DEAR MESSRS. CHAIRMEN: The National Structured Settlements Trade Association (NSSTA) and the National Association of Settlement Purchasers (NASP) have agreed on the concepts and language of the attached package of Federal and State legislation that would protect the Congressional policy underlying structured settlements and would regulate transfers of structured settlement payments to companies in the business of acquiring future structured settlement payments from recipients in exchange for a lump sum. These transfers are sometimes referred to as structured settlement "factoring" transactions.

The Federal and State measures are each necessary components of a single legislative package. (Legislative language for the Federal and State measures is attached.) Under the agreed approach, the States are given the consumer protection role. The proposed State legislation provides for court review of all proposed factoring transactions to ensure that a proposed transaction is appropriate under the circumstances. Specifically, in order for the transaction to proceed, the reviewing court must find that the transaction is in the best interest of the payee, taking into account the welfare and support of the payee's dependents, and that the transaction does not contravene other applicable statutes and court orders.

The Federal measure protects the Congressional policy underlying structured settlements by providing that a stiff excise tax would be imposed unless the requisite State court approval is obtained under a State structured settlement protection statute requiring findings that a transfer is in the best interest of the payee, taking into account the welfare and support of the payee's dependents, and that the transfer does not contravene applicable statutes and court orders. The Federal measure would also assure that the parties to a structured settlement are not subject to adverse tax treatment in the event of a later transfer of payments under that settlement.

The Federal measure is similar to H.R. 263, sponsored by Reps. Clay Shaw (R-FL) and Pete Stark (D-CA) and co-sponsored by a broad bipartisan majority of the House Ways and Means Committee, and S. 1045, sponsored by Sens. Max Baucus (D-MT) and the late Sen. John Chafee (R-RI) and co-sponsored by a total of 6 Members of the Senate Finance Committee.

The State measure is complementary to the Federal measure. The State measure lays